

Form 149

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

John A. Speis
Debtor(s)

Bankruptcy Case No.: 15-24674-CMB
Issued Per May 2, 2019 Proceeding
Chapter: 13
Docket No.: 75 - 70, 72
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 12, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,887 as of May 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on at, in*. If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Jameson Health Systems at Claim No. 2 .
- H. Additional Terms: No further payments to Shenango China Area Federal Credit Union because of surrender of collateral in the amended plan. All prior payments ratified and confirmed.
The secured claim of HSBC Bank USA at Claim No. 5 shall govern, and then following all allowed post-petition payment change notices filed of record.
The claim of Westlake Financial to be paid \$233.01 per month as long term continuing debt in Part 3.1 of the Plan beginning June 1, 2019.

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) **IT IS FURTHER ORDERED THAT:**

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm
Judge
United States Bankruptcy Court

Dated: May 10, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 John A. Speis
 Debtor

Case No. 15-24674-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
Form ID: 149Page 1 of 2
Total Noticed: 56

Date Rcvd: May 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 12, 2019.

db +John A. Speis, 3007 Old Pittsburgh Rd., New Castle, PA 16101-6086
 cr +Shenango China Area FCU, 2656 Ellwood Rd, Suite 1, New Castle, PA 16101-6282
 14156266 +ATTORNEY PAULA CIALIA, 113 N. MERCER ST., New Castle, PA 16101-3813
 14156263 +Aes/Pheaa, Po Box 61047, Harrisburg, PA 17106-1047
 14156264 +Aes/Pheaa Rehabs, Po Box 61047, Harrisburg, PA 17106-1047
 14175241 +Attorney Paula Cialla, 113 N Mercer St., New Castle, PA 16101-3813
 14156267 +Bank Of Oklahoma Mtg, 7060 S Yale Ave, Tulsa, OK 74136-5711
 14212614 +COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: Columbia Gas of Pennsylvania, P.O. Box 117, Columbus, OH 43215)
 14156275 +CONVERGENT, PO Box 9004, Renton, WA 98057-9004
 14156271 +Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
 14156272 Chase, Po Box 901003, Columbus, OH 43224
 14156273 +Citi, Po Box 6241, Sioux Falls, SD 57117-6241
 14156274 +Citi-Bp Oil, Po Box 6497, Sioux Falls, SD 57117-6497
 14156276 +Credit Acceptance, Po Box 513, Southfield, MI 48037-0513
 14369786 ECMC, PO Box 16408, St. Paul, MN 55116-0408
 14156280 #+Eastern Account System, 75 Glen Rd Ste 110, Sandy Hook, CT 06482-1175
 14175243 +FNB, One FNB Blvd., 5th Floor, Hermitage, PA 16148-3347
 14156282 +First National Bank of PA, One FNB Blvd., 5th Floor, Hermitage, PA 16148-3363
 14156283 +HERTZ LOCAL EDITION, HLE COMMERCIAL DEPT 1153, PO BOX 121154, DALLAS, TX 75312-1154
 14156286 +HSBC BANK USA, 3815 SOUTH WEST TEMPLE, PO BOX 65250, Salt Lake City, UT 84165-0250
 14234737 +HSBC Bank USA et al c/o, Select Portfolio Servicing, Inc., P.O. Box 65450, Salt Lake City, UT 84165-0450
 14189842 +Hladik, Onorato & Federman, LLP, 298 Wissahickon Ave., North Wales, PA 19454-4156
 14156284 +Hsbc Auto, 6602 Convoy Ct, San Diego, CA 92111-1000
 14156285 +Hsbc Bank, Po Box 9, Buffalo, NY 14240-0009
 14156288 +I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378
 14156289 +Jameson Health Sys., 1211 Wilmington Rd., New Castle, PA 16105-2516
 14156290 +Lawrence County Prothonotary, 430 Court St., New Castle, PA 16101-3558
 14189144 +Lawrence County Sheriff, 430 Court St., New Castle, PA 16101-3503
 14156292 +MDJ MELISSA AMODIE, 430 COURT ST., New Castle, PA 16101-3503
 14156291 +Mcydsnb, 9111 Duke Blvd, Mason, OH 45040-8999
 14156294 +NCB (CITI FIN AUTO), PO BOX 1099, Langhorne, PA 19047-6099
 14156295 +Omni Mngt, PO BOX 8749, Toledo, OH 43623-0749
 14159792 +PHEAA, PO Box 8147, Harrisburg PA 17105-8147
 14156297 +Santander Consumer Usa, Po Box 961245, Ft Worth, TX 76161-0244
 14158596 Security Credit Services, LLC, c/o Five Lakes Agency, Inc., P.O. Box 80730, Rochester, MI 48308-0730
 14156298 +Shenango China Efcu, 2656 Ellwood Rd., Suite 1, New Castle, PA 16101-6282
 14156299 +Snow and Snow, PC, 215 W Elizabeth St., New Castle, PA 16105-1947
 14156304 +TWIN AIR HEATING & COOLING, 2625 HARLANSBURG RD., New Castle, PA 16101-9687
 14156303 +Tnb - Target, Po Box 673, Minneapolis, MN 55440-0673
 14156307 ++WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING, ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203
 (address filed with court: Wells Fargo Hm Mortgag, 8480 Stagecoach Cir, Frederick, MD 21701)
 14156308 +Wf Crd Svc, 3201 N 4th Ave, Sioux Falls, SD 57104-0700
 14156309 +Wfdillards, Po Box 14517, Des Moines, IA 50306-3517
 14156310 +Zucker, Goldberg & Ackerman, LLC, 200 Sheffield St., Mountainside, NJ 07092-2314

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14156268 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 11 2019 02:35:21 Cap One, Po Box 85015, Richmond, VA 23285
 14156269 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 11 2019 02:34:43 Capital One Bank Usa N, 15000 Capital One Dr, Richmond, VA 23238
 14156270 +E-mail/Text: bankruptcy@cavps.com May 11 2019 02:23:29 Cavalry Portfolio Serv, Po Box 27288, Tempe, AZ 85285-7288
 14156277 +E-mail/PDF: creditonebknotifications@resurgent.com May 11 2019 02:36:08 Credit One Bank Na, Po Box 98875, Las Vegas, NV 89193-8875
 14156279 +E-mail/Text: mrdiscen@discover.com May 11 2019 02:22:36 Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
 14156281 +E-mail/Text: bknotice@ercbpo.com May 11 2019 02:23:21 Enhanced Recovery Co L, 8014 Bayberry Rd, Jacksonville, FL 32256-7412
 14156293 +E-mail/Text: bankruptcydpt@mcmcg.com May 11 2019 02:23:13 Midland Funding, 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
 14156296 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 11 2019 02:34:47 Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
 14156300 E-mail/PDF: cbp@onemainfinancial.com May 11 2019 02:35:17 Springleaf Financial S, 2656 Ellwood Rd Unit 21, New Castle, PA 16101
 14156301 +E-mail/PDF: gecscedi@recoverycorp.com May 11 2019 02:35:53 Syncb/Lord & Tay, Po Box 965015, Orlando, FL 32896-5015
 14156302 +E-mail/PDF: gecscedi@recoverycorp.com May 11 2019 02:34:39 Syncb/Plcc, Po Box 965024, Orlando, FL 32896-5024

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 56

Date Rcvd: May 10, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

14156305 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com May 11 2019 02:22:29
Verizon, 500 Technology Dr Suite 300, Weldon Spring, MO 63304-2225
14156306 +E-mail/Text: bnc-bluestem@quantum3group.com May 11 2019 02:23:36 Web Bank,
215 S State St Ste 800, Salt Lake City, UT 84111-2339

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr HSBC Bank USA et al c/o Select Portfolio Servicing
cr HSBC Bank USA, National Association, as Trustee for
cr HSBC Bank USA, National Association, as Trustee for
14156287 Hsbc/Scusa
cr* ECMC, P.O. BOX 16408, ST. PAUL, MN 55116-0408
14175242* Convergent, PO Box 9004, Renton, WA 98057-9004
14156265 ##+AMY J SPEIS, 3391 CELENA CIRCEL, Saint Cloud, FL 34769-5911
14156278 ##+DAVID WAGNER, 416 E SHERIDAN AVE., New Castle, PA 16105-2627

TOTALS: 4, * 2, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 12, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on May 10, 2019 at the address(es) listed below:

Danielle Boyle-Ebersole on behalf of Creditor HSBC Bank USA et al c/o Select Portfolio
Servicing, Inc. debersole@hoflawgroup.com, pfranz@hoflawgroup.com
James Warmbrodt on behalf of Creditor HSBC Bank USA, National Association, as Trustee for
People's Choice Home Loan Securities Corp., People's Choice Home Loan Securities Trust Series
2005-1, Mortgage-Backed Notes, Series 2005-1 bkgroup@kmllawgroup.com
James Warmbrodt on behalf of Creditor HSBC Bank USA, National Association, as Trustee for
People's Choice Home Loan Securities Corp., People's Choice Home Loan Securities Trust Series
2005-1, Mortgage-Backed Notes, Series 2005-1 bkgroup@kmllawgroup.com
Louis R. Pomerico on behalf of Debtor John A. Speis info@pomericolaw.com,
pmcarr1920@outlook.com;loupom@aol.com;r50803@notify.bestcase.com
Matthew Christian Waldt on behalf of Creditor HSBC Bank USA, National Association, as Trustee
for People's Choice Home Loan Securities Corp., People's Choice Home Loan Securities Trust
Series 2005-1, Mortgage-Backed Notes, Series 2005-1 mwaldt@milsteadlaw.com,
bkecf@milsteadlaw.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteeewpa.com

TOTAL: 7